

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

JUN 27 2012

Department of Water Resources
Eastern Region

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
35-14277	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Idaho Water Company, LLC
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Love's Stops & Country Stores, Inc.
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or
10601 N. Pennsylvania Ave.
Mailing address
Oklahoma City OK 73120
City State ZIP
405-302-6576
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☒ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: June 26, 2012

6. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

7. Signature: *Robert L. Jamies* Attorney June 27, 2012
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by *JB* Date 6/27/2012 Receipt No. E037739 Receipt Amt. \$25.-
Approved by *JB* Processed by *JB* Date 6/27/2012

When recorded return to:
Robert L. Harris
Holden, Kidwell, Hahn & Crapo PLLC
P.O. Box 50130
Idaho Falls, Idaho 83405

Instrument # 1420171
IDAHO FALLS, BONNEVILLE, IDAHO
6-26-2012 04:27:14 No. of Pages: 4
Recorded for : HOLDEN KIDWELL
RONALD LONGMORE Fee: 19.00
Ex-Officio Recorder Deputy
Index to: DEED, WARRANTY

SPECIAL WARRANTY DEED FOR WATER RIGHT

Idaho Water Company, LLC whose address is 1135 Valley Road South, Eden, Idaho, 83325 ("Grantor") does hereby grant, bargain, sell, assign, and convey unto Love's Stops & Country Stores, Inc., an Oklahoma Corporation, of 10601 N. Pennsylvania Ave., Oklahoma City, OK 73120 ("Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in and to Water Right No. 35-14277 (formerly a portion of No. 25-14370) described in Exhibit 1 hereto (collectively the "Water Right").

Grantor covenants and warrants to Grantee as follows:

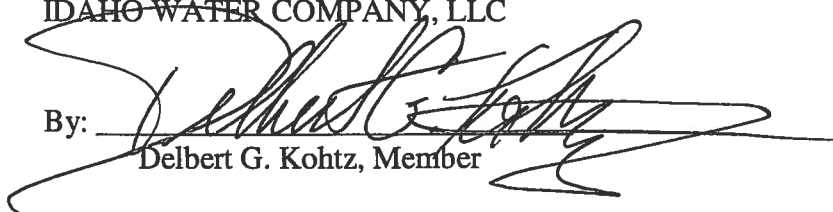
- A. Grantor is the owner of the Water Right;
- B. Grantor has not previously conveyed the Water Right to any person other than the Grantee;
- C. The Water Right is being conveyed free from all liens, claims or encumbrances; and
- D. Grantor has the authority to convey the Water Right to Grantee.

Grantor makes no other covenants, representations or warranties as to the Water Right.

No land is included in or conveyed by this grant.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed this 26th day of June, 2012.

IDAHO WATER COMPANY, LLC

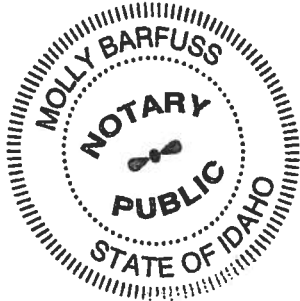
By: 

Delbert G. Kohtz, Member

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 26th day of June, 2012, before me, a Notary Public for said County and State, personally appeared DELBERT G. KOHTZ, known or identified to me, to be one of the members of the limited liability company of IDAHO WATER COMPANY, LLC, and the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Molly Barfuss
NOTARY PUBLIC FOR IDAHO
Residing at: Idaho Falls, ID
My commission expires: 02/16/2018



WATER RIGHT NO. 35-14277
As Modified by Transfer No. 77887

In accordance with the approval of Transfer No. 77887, Water Right No. 35-14277 is now described as follows.

Right Holder: IDAHO WATER CO LLC
 C/O DEL KOHTZ
 1135 VALLEY RD S
 EDEN ID 83325

Priority Date: August 19, 1952

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.05 CFS	11.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWNW	Sec. 9 Twp 01N Rge 37E	BONNEVILLE County
GROUND WATER	SENWNW	Sec. 9 Twp 01N Rge 37E	BONNEVILLE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	37E	9					1.7	1.1											2.8

Total Acres: 2.8

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
2. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. Prior to the diversion and use of water under Transfer approval 77887, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

WATER RIGHT NO. 35-14277
As Modified by Transfer No. 77887

CONDITIONS OF APPROVAL

5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
7. Any future action following approval of Transfer 77439, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one years of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of June, 20 12


Water Resources Program Manager

LOVE'S TRAVEL STOP - IDAHO FALLS, IDAHO - Water Right No. 35-14277



Legend

- Loves_Boundary
- TO.Wells
- Irrigated_Area
- Section Lines
- Quarter Quarters



0 0.02 0.04 0.08 Miles